

REMARKS

Applicants respectfully request reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow.

A detailed listing of all claims that are, or were, in the application, irrespective of whether the claims remain under examination in the application, is presented, with an appropriate defined status identifier.

After amending the claims as set forth above, claims 1-22 are now pending in this application.

Claim Rejections – 35 U.S.C. § 102

In Section 2 of the Office Action, the Examiner rejected Claims 17-22 under 35 U.S.C. § 102(e) as being anticipated by Ludwig et al. The Examiner indicates that the claimed invention reads on Ludwig et al. in Figures 8B and column 24, lines 22-36. Applicants have examined the citations provided by the Examiner and disagree with the Examiner's rejection for anticipation.

Independent Claim 17 recites “a user interface for a radio enabled handheld computer display screen. First, Applicants disagree with the Examiner because the recitation of the terminology “handheld computer” should be construed more narrowly than construed by the Examiner. The terms of the claim should be given their ordinary and accustomed meaning determined by reference to dictionaries, encyclopedias, and treatises available at the time of the patent. The Examiner has construed a laptop computer which is disclosed in the Ludwig reference as a handheld computer. Applicants, however disagree. In response, Applicants submit as Exhibit A (attached hereto) a printout from the website dictionary.com which indicates that a “handheld computer” is “a computer small enough to be carried in your pocket.” A laptop computer is not one which can conventionally be carried in your pocket. Applicants also submit as Exhibit B (attached) an alternative definition of the term “handheld” as it refers to computers. Exhibit B comes from the website search mobilecomputing.com. The site describes a handheld computer as “a computer that can conveniently be stored in a pocket (of sufficient size) and used

while you are holding it.” Thus, it is clear that the plain meaning of “handheld computer” should not be construed to include laptop computers as the Examiner suggested. Further still, it should be appreciated that the Applicant may be his or her own lexicographer as long the meaning assigned to the term is not repugnant to the terms well known usage. In re Hill, 161 F.2d 367, 73 U.S.P.Q. 482 (CCPA 1947). Accordingly, Applicants refer the Examiner to the specification at page 1, paragraph [0001], which states “handheld computing devices, ‘palm tops’, ‘palm helds’, personal digital assistants (PDAs), or handheld computers typically weigh less than a pound and fit in a pocket.” Accordingly, it is clear that the Applicants have defined the term “handheld computer” within specified constraints which would not include notebook computers. Notebook computers conventionally do not weigh less than a pound and conventionally do not fit in a pocket. Further, because of the small size of the display screen on a handheld computer, certain efficiencies for the user interface on the handheld computer are needed which are not necessitated by notebook computers because of the large size of the display screen. Accordingly, the subject matter of Claim 17 provides such efficiencies and is not disclosed, taught, or suggested by Ludwig et al.

Besides the fact that Ludwig et al. does not disclose, teach, or suggest user interfaces for radio enabled handheld computers, neither does Ludwig et al. disclose, teach, or suggest “a user selectable option that is configured to effectuate movement of at least one of the first indicator and the second indicator to the other of the first and second screen portions.” All that is taught in Ludwig is that a display screen may show multiple participants of a conference call and may also show which of those participants are on hold. What is not disclosed by Ludwig et al. is that the display screen has two portions, for example, an active portion and a hold portion and the call indicators may be moved from one screen portion to the other screen portion and thereby effectuating the change in the call status. All that is taught in Ludwig et al., is activating of the hold status or releasing from the hold status of calls displayed on the screen. Therefore, Applicants respectfully submit that because all of the claim limitations of claim 17 are not disclosed, taught, or suggested by Ludwig et al., Ludwig et al. does not anticipate Claim 17. Therefore, independent Claim 17 and its respective dependent claims are therefore allowable.

Claim Rejections – 35 U.S.C. § 103

In Section 4 of the Office Action, the Examiner rejected Claims 1-3 and 5-16 under 35 U.S.C. § 103(a) as being unpatentable over Vainio et al. in view of Ludwig et al. and Roustaei et al. The Examiner indicates that with regard to independent Claim 1, Vainio et al. teaches all but “the user interface including a hold area of the display configured to display indicators representative of the parties on hold and an active area of the display configured to display indicators representative of the parties active on the conference call.”

The Examiner indicates further that “Roustaei et al. teaches a laptop computer which operates through a cellular link (col. 14, line 64 – col. 15, line 11) where the user interface (Fig. 8B) including a hold area of the display configured to display indicators representative of the parties on hold and an active area of the display configured to display indicators representative of the parties active on the conference call (col. 24, lines 23-36).” Although the Examiner has cited to Roustaei et al., it is Applicants’ belief that the Examiner meant to cite to Ludwig et al. as the citations provided by the Examiner do not exist in Roustaei et al. If Applicants’ belief is incorrect, Applicants request that the Examiner indicate the correct citation.

Assuming that the correct citation is to Ludwig et al., Applicants disagree that what is taught in Ludwig et al. is a hold area of the display and an active area of the display. Nothing in Ludwig et al. indicates that the mosaic displays are an active area of the screen. There is nothing to indicate in Ludwig et al. that when call participants shown in the mosaic area of the screen are put on hold that their image is removed from the mosaic area. Therefore, it is not necessarily an active area of the screen as participants may be either on hold or active in the mosaic area. The indicator on the calls on hold area of the screen would indicate which of the participants are on hold. Thus, Applicants respectfully submit that there is no teaching or suggestion of a specific hold area of the screen and a specific active area of the screen (i.e., two different screen portions). What is shown in Ludwig et al. is an image area of the screen and a hold indicating area. Accordingly, Applicants respectfully submit that independent Claim 1 and its respective

dependent claims are not obvious over Vainio et al. in view of Ludwig et al. and Roustaei et al. Thus, Applicants respectfully submit that Claims 1-9 are therefore allowable.

Referring now to Claim 10, the Examiner rejected Claims 10 based on Vainio as teaching a handheld mobile telephone and Ludwig et al. teaching two different display areas. Applicants respectfully submit that the Examiner appears to have made the same error in citing Roustaei et al. instead of Ludwig et al. as with the rejection to Claim 1. Therefore, Applicants request that if Applicants' belief is incorrect, that the Examiner clarify it. However, assuming that the Examiner intended to cite Ludwig et al., Applicants respectfully submit that as discussed above Ludwig et al. does not disclose, teach, or suggest an active area of the display and a hold area of the display. What is disclosed in Ludwig et al. is a mosaic area of the display in which it appears that calls may be either active or inactive, therefore it is not an active area of the display and a second area of the display which is a hold indicating area of the display (See also argument above with regard to claim 1). Thus, Applicants respectfully submit that the method recited in independent Claim 10 is not disclosed, taught, or suggested by any proper combination of Vainio et al., Roustaei et al. and Ludwig et al.

Accordingly, Applicants respectfully submit that Claim 10 and its respective dependent claims are not obvious in view of any combination of Vainio et al., Roustaei et al. and Ludwig et al. Thus, Claims 10-16 are therefore allowable.

Applicants believe that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 06-1447. Should no proper payment be enclosed herewith, as by a check

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Respectfully submitted,

Date October 12, 2004

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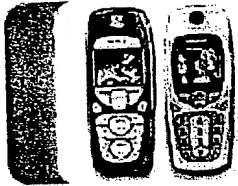
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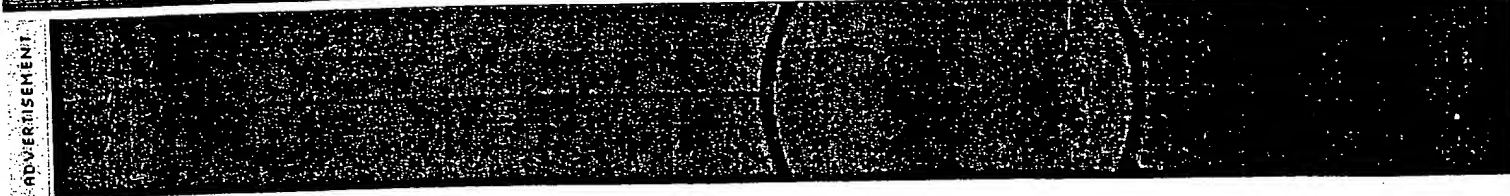
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A handheld computer is a computer that can conveniently be stored in a pocket (of sufficient size) and used while you're holding it. Today's handheld computers, which are also called personal digital assistants (PDAs), can be divided into those that accept handwriting as input and those with small keyboards. The original handheld that accepted handwriting was Apple's Newton,

which was later withdrawn from the market. Today, the most popular handheld that accepts handwritten input is the PalmPilot from 3Com. Philips, Casio, NEC, Compaq, and other companies make handhelds with small keyboards.

Windows CE and EPOC are two of the most widely used operating systems in handheld computers.

Handheld computers are typically used for personal information manager (PIM) types of applications: maintaining schedules, keeping names and phone numbers, doing simple calculations, taking notes, and, with a modem, exchanging e-mail and getting information from the Web. Keyboards have tiny keys that take getting used to. Those that handle handwriting also impose constraints and require some learning. Nevertheless, this class of computer is widely sold and appreciated by many users.

Hewlett-Packard has recently introduced the first handheld computer with a color display. A number of companies now combine voice and data telephone service using cellular telephone or other wireless technologies with the handheld computer in a single device.

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